

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DESTINY BROWN, individually and as Plaintiff	:	
the surviving parent of Shulena A. Weldon,	:	
and as administratrix of the estate of	:	
Shulena A. Weldon,	:	
v.	:	
STEVEN L. NOVACEK, et al., Defendants	:	
		No. 1:14-cv-00988
		:
		(Judge Kane)
		:
		:

ORDER

AND NOW, on this 5th day of November 2014, IT IS HEREBY ORDERED THAT the motion to dismiss (Doc. No. 13) filed by Defendants Harrisburg Bureau of Police and City of Harrisburg, Pennsylvania is **GRANTED IN PART** as follows:

1. All claims against named Defendant Harrisburg Bureau of Police are **DISMISSED WITH PREJUDICE**;
2. Plaintiff's claim against Defendant City of Harrisburg, Pennsylvania arising under 42 U.S.C. § 1983 and the United States Constitution are **DISMISSED WITHOUT PREJUDICE**;
3. Plaintiff's claim for punitive damages against Defendant City of Harrisburg, Pennsylvania in connection with Plaintiff's claim arising under 42 U.S.C. § 1983 is **DISMISSED WITH PREJUDICE**;
4. Plaintiff's remaining state law claims against all defendants are not dismissed; and
5. Plaintiff is granted leave to file an amended complaint within 21 days of the date of this order.

S/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania